

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

HARRY SMITH, JR. and ROSLYN  
WOODARD SMITH, Individually and as  
Administrators of THE ESTATE OF  
HARRY SMITH, III

Plaintiffs,

v.

CITY OF WILMINGTON, JOHN  
CIRITELLA, THOMAS DEMPSEY, and  
MATHEW KURTEN,

Defendants.

Case No. 04-1254-GMS

**DECLARATION OF BRUCE E. MULRINE, JR.**

Bruce E. Mulrine, Jr., being first duly sworn, deposes and says that:

1. I am a Lieutenant with the Wilmington Police Department and am assigned to its Human Relations Department. I am familiar with the Department's requirements for continuing police training.

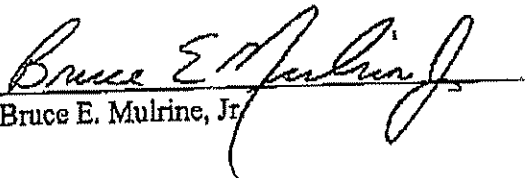
2. The Council on Police Training ("COPT") requires a minimum of 16 hours per year in training for police officers after they have graduated from the Police Academy. Officers can choose from a variety of approved courses, many of which are offered by the Delaware State Police. The Human Relations Department reviews each officer's records to ensure that the officer has satisfied the 16 hour minimum.

3. In addition to the minimum 16 hours of additional annual training, each officer is required to qualify with his or her weapon a minimum of three times a year at the police range. By "qualify" I mean that the officer is required to achieve a minimum score. Two of these qualification shoots are day shoots and the other is a night shoot. As part of the shooting

qualification officers are instructed on the appropriate circumstances for the use of deadly force. Some officers, such as SWAT team members, are required to qualify more frequently.

4. In addition to the required 16 hours of continuing education, each officer is required to attend a legal update which is presented by the Wilmington City Solicitor's officers. This update reviews existing laws and provides information on changes in the laws affecting police officers.

5. I declare under penalty of perjury that the foregoing is true and correct. Executed on February 21, 2007, at Wilmington, Delaware.

  
Bruce E. Mulrine, Jr.

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

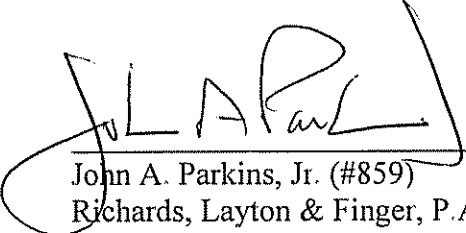
**CERTIFICATE OF SERVICE**

I hereby certify that on February 21, 2007, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing(s) and Hand Delivered to the following:

Kester I.H. Crosse, Esquire  
Williams & Crosse  
1214 King Street  
Suite 300  
Wilmington, DE 19801

I hereby certify that on February 21, 2007, I have sent by U.S. Regular Mail, the foregoing document to the following non-registered participants:

Anne T. Sulton, Esquire  
Post Office Box 2763  
Olympia, WA 98507



John A. Parkins, Jr. (#859)  
Richards, Layton & Finger, P.A.  
One Rodney Square  
P.O. Box 551  
Wilmington, Delaware 19899  
(302) 651-7700  
Parkins@rlf.com